



Appeal Decision

Site visit made on 8 October 2024

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2024

Appeal Ref: APP/D2510/W/23/3333391

**Lakeside Camping and Fisheries, Main Road, Saltfleetby, Lincolnshire
LN11 7SS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Bowers against the decision of East Lindsey District Council.
 - The application Ref is N/145/00183/23.
 - The development proposed is Proposed Site Warden / Managers Accommodation in connection with caravan site.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 30 July 2024, the Government published a consultation draft of proposed reforms to the National Planning Policy Framework (the Framework). As the proposed changes do not affect the main issue of this appeal, I have not sought the views of the main parties in coming to my decision.

Main Issue

3. The main issue is whether the proposal would be in a suitable location with regards to flood risk.

Reasons

4. The appeal site comprises part of a camping and fishing site located within the village of Saltfleetby. The proposal seeks to install a caravan for the use of an on-site manager. The appeal site is located within Flood Zone 3 (FZ3), which is stated to be an area with a high probability of flooding.
5. As per policy SP17 of the East Lindsey Local Plan Core Strategy (CS) (adopted July 2018) the appeal site is in the Coastal Zone, in which development will need to demonstrate that it satisfies the sequential and exception tests as set out in Annex 2 of the CS. Annex 2 advises that the aim of the sequential test is to steer development to areas of lowest risk. This is commensurate with paragraph 168 of the Framework, which advises that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It goes on to say that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
6. The appellant advises that the current manager of the business lives close to the site but is retiring soon. The owner of the site intends to take over the

day-to-day management of the business. Although they stipulate that they would be keeping their current residence in Berkshire, emails from the agent to the Council confirm the intention to be on site permanently in this manner. The appellant also advises in their appeal statement that 'the applicant will be living on site to aid the running of the business'.

7. Moreover, the need for the accommodation is described in the appellant's evidence as justification for the development. This includes being on hand to provide gas bottles or general drainage / maintenance duties to running the camp shop which can be very early opening / late closing, personal customer service, looking after the fishery itself which will require maintenance and monitoring, and for the on-site presence to improve security. This would clearly entail a large time commitment and I find it unlikely that keeping their current residence would mean they were not permanently living on site. based on the evidence before me, it seems clear to me that the proposal would be permanently occupied in this manner.
8. I have had regard to the findings of the appellant's Flood Risk Assessment¹ (FRA), which concludes that the proposed development would not be at significant flood risk, and would not increase flood risk to others, subject to the recommended flood mitigation strategies being implemented. These entail the floor level of the caravan being set at 2.7m above ordnance datum, anchoring the caravan to the ground and a flood emergency plan being agreed by condition.
9. However, the FRA classifies the proposed use as a site used for holiday or short let caravan, which would be in the 'more vulnerable' category as per Annex 3 of the Planning Practice Guidance (PPG) chapter on flood risk and coastal change. Table 2² of the same chapter advises this would require the exception test is applied. I have concluded the development would be a caravan for permanent residential use, which would be in the 'highly vulnerable' category. In FZ3, this should not be permitted. This aligns with annex 2 of the CS which is clear that residential use will not pass the sequential test.
10. I understand that security is of concern to the appellant, and that having an on-site physical presence may be a better deterrent than measures such as security cameras and barriers. However, there is nothing before me to indicate that security is compromised on the site to the extent that this would justify allowing the proposal to proceed.
11. My attention is drawn to other developments that are ostensibly similar to that before me. However, I only have a list of reference numbers and very brief descriptions. In any event, each proposal is assessed on its own merits and on this basis, I have determined the proposal to be contrary to the development plan.
12. I understand that the Environment Agency offered support for the proposal subject to conditions. Neither party has made that consultation response available to me, although I note that this was notwithstanding the need to pass the sequential test. This would not be passed as established above and

¹ Roy Lobley Consulting – February 2023

² Paragraph: 079 Reference ID: 7-079-20220825

as such the support of that organisation does not mean the proposal should be allowed on this basis.

13. Taken together, I conclude that the appeal site is not a suitable location for the proposed development, having regard to the risk of flooding. Therefore, the proposal would be contrary to Policies SP3, SP17 and SP18 of the CS which seek, among other things, to ensure development is direct to areas at least risk of flooding on a sequential basis.

Conclusion

14. The proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. As such, for the reasons given, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR